Before the FEDERAL COMMUNICATIONS COMMISSION Washington, D.C. 20554

In the Matter of)	
)	
Facilitating the Deployment of Text-to-911)	PS Docket No. 11-153
And Other Next Generation 911 Applications)	
)	
Framework for Next Generation 911 Deployment)	PS Docket No. 10-255

REPLY COMMENTS OF THE NATIONAL ASSOCIATION OF TELECOMMUNICATIONS OFFICERS AND ADVISORS, THE NATIONAL ASSOCIATION OF COUNTIES, AND THE NATIONAL LEAGUE OF CITIES

The National Association of Telecommunications Officers and Advisors ("NATOA"),¹ the National Association of Counties ("NACo"),² and the National League of Cities ("NLC")³ submit these comments in response to the above-captioned Notice of Proposed Rulemaking ("NPRM"), released September 22, 2011.

There is no dispute that adding non-voice capabilities, such as text messages, photos, and video clips to our current 911 system "will significantly improve emergency response, save lives,

¹ NATOA is a national trade association that promotes local government interests in communications, and serves as a resource for local officials as they seek to promote communications infrastructure development.

² NACo represents county governments, and provides essential services to the nation's 3,068 counties.

³ The NLC serves as a resource to and an advocate for the more than 19,000 cities, villages, and towns it represents.

and reduce property damage."⁴ We applaud the Commission for proceeding with this NPRM and for its continued focus on public safety communications and the vital role these services play in protecting the public's safety.

However, before responding to specific issues raised by the Commission in the NPRM, NATOA, NACo, and NLC would again like to emphasize that local governments nationwide take seriously their responsibility to provide advanced public safety services, such as NG911, to their residents. But improvements and upgrades to existing 911 services will cost money.

For example, there will be costs associated with equipment and software upgrades, new administrative burdens, and staff training. In addition, as APCO points out, localities could lose vital 911 fees and other funding in the event they fail to meet performance mandates due to the increased time necessary to handle text-based calls. In the current financial climate, where local budgets are already stretched thin, the desire to provide enhanced public safety communications services must be tempered by economic realities and balanced against competing budget priorities. It is against this background that we provide the following comments.

<u>Increased Accessibility Needed for 911 Services</u>

Increased accessibility of 911 services via text and other non-voice-based solutions is essential for those with hearing or speech disabilities. As pointed out in comments filed by the King County E911 Program, the inability of these individuals to communicate effectively with a

⁴ See In the Matter of Facilitating the Deployment of Text-to-911 and Other Next Generation 911 Applications and Framework for Next Generation 911 Deployment, Notice of Proposed Rulemaking, PS Docket Nos. 11-153 and 10-255 (rel. Sep. 22, 2011) ("NPRM") \P 1.

⁵ See APCO Comments, PS Docket Nos. 11-153 and 10-255, at 9 (December 12, 2011). An additional concern is the uneven level of 911 funding across the nation. While the vast majority of states use 911 fees to support public safety, a few divert such funding for other purposes. See Third Annual Report to Congress on State Collection and Distribution of 911 and Enhanced 911 Fees and Charges (rel. November 8, 2011), available at:

http://hraunfoss.fcc.gov/edocs_public/attachmatch/DOC-310873A1.pdf.

PSAP in a medical emergency can mean the difference between life and death.⁶ As such, like many commenters,⁷ we support the use of Short Message Service ("SMS") "as an interim solution for text-based communication to 911" since it is "particularly beneficial to people with disabilities, including people who are deaf, hard of hearing, or have speech impediments." However, we believe the Commission should not mandate its use by the general public under normal circumstances. Rather, the Commission should "think ahead" and focus on long-term solutions for the expanded use of non-voice-based requests for emergency assistance.

Consumer Expectations and Education

There is little doubt that the popularity of SMS messaging has lead to the mistaken consumer expectation that texts may be sent for 911 emergency services. ¹¹ Fortunately, service providers immediately alert users that such texts cannot be delivered. But such confusion may only get worse if 911 texting does not become uniformly available – a situation that may likely occur due to funding issues. Therefore, it is essential that robust consumer education programs be put in place to ensure that mistaken reliance on 911 texting does not result in compounding an

 $^{^6}$ See King County (WA) E911 Program Comments, PS Docket Nos. 11-153 and 10-255, at 3 (December 13, 2011).

⁷ For example, *see* APCO Comments, PS Docket Nos. 11-153 and 10-255, at 2 (December 12, 2011).

⁸ *NPRM* ¶ 5.

⁹ See Telecommunications for the Deaf and Hard of Hearing, Inc., et al. Comments, PS Docket Nos. 11-153 and 10-255, at 5 (December 12, 2011).

¹⁰ See APCO Comments, PS Docket Nos. 11-153 and 10-255, at 2-3 (December 12, 2011); State of Minnesota Reply Comments, PS Docket Nos. 11-153 and 10-255, at 3-4 (February 6, 2012).

¹¹ For example, victims of the 2007 Virginia Tech shooting tried, but were unsuccessful, in texting 911 messages to law enforcement. *See* http://techland.time.com/2011/08/11/youll-soon-be-able-to-text-911-for-emergencies/; http://abcnews.go.com/Technology/text-911-save-lives/story?id=13235321.

existing emergency.¹² The success of our public safety communications system depends on effective and efficient communications between callers and PSAPs. It is essential that as NG911 services become available, the public has a basic understanding of where those systems are available and what those systems can and cannot do. A vibrant public education campaign is needed and the Commission should consider what role it and the federal government can play in ensuring that all consumers are so informed. At a minimum, consumers must be educated concerning the limitations of location technology of current devises.

In addition, we support APCO's assertion that APCO "should play a key role in helping to craft and disseminate an agreed upon curriculum" for standards based training for PSAPs. 13

Technical Advisory Group

We agree with APCO that the Commission should establish a NG911 Technical Advisory Group comprised of public and private sector experts that can address issues concerning non-voice emergency messaging. Such an advisory group could assist the Commission in ensuring that any Commission rules concerning NG911 take into account state-of-the art technology.

Conclusion

We respectfully request the Commission to consider our comments as it takes steps to

¹² See King County (WA) E911 Program Comments, PS Docket Nos. 11-153 and 10-255, at 9-10 (December 13, 2011). "The King County E911 Program has effectively conducted many 911 public education campaigns over the years that have been successful in modifying the public's use of 911. . . . We have conducted various campaigns about wireless 911 service, including the current one to advise texters that texting-to-911 is not yet available."

¹³ See APCO Comments, PS Docket Nos. 11-153 and 10-255, at 17 (December 12, 2011).

¹⁴ *Id.* at 3.

further the deployment and use of NG911 services.

Respectfully submitted,

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